

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

OP.No. 23781 of 2000(F)

PETITIONER:

**C.A. GEORGE, EXECUTIVE SECRETARY,
COCHIN EXPORT PROCESSING ZONE INDUSTRIES ASSOCIATION,
GROUND FLOOR, CEPZ ADMINISTRATION BUILDINGS,
KAKKANAD, COCHIN -30.**

**BY ADV. SRI.T.K.VENUGOPALAN,
ADV. SRI.SHIBU JOSEPH.**

RESPONDENTS:

- 1. STATE OF KERALA, REPRESENTED BY THE SECRETARY
TO THE HEALTH AND FAMILY WELFARE (B) DEPARTMENT,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.**
- 2. THE KERALA STATE POLLUTION CONTROL BOARD,
REPRESENTED BY ITS MEMBER SECRETARY,
PLAMOODU JUNCTION, PATTOM PALACE P.O.,
THIRUVANANTHAPURAM.**
- 3. THE SENIOR ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
REGIONAL OFFICE, ERNAKULAM,
GANDHI NAGAR, COCHIN-20.**

**BY GOVERNMENT PLEADER SMT. DEEPA,
ADV. SMT.K.K.THULASY BHAI,S.C,POLLUTION CONTROL BOARD.**

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 23/11/2007,THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

ORDER ON C.M.P. NO. 40077/2000 IN O.P. NO.23781/2000-F

DISMISSED

23/11/2007.

SD/- KURIAN JOSEPH, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE S.R.O. NO. 804/99 DTD. 28/09/1999.

EXT.P.2: COPY OF THE NOTICE DTD. 02/11/1999 ISSUED BY THE R.3.

EXT.P.3: COPY OF THE REPRESENTATION DTD. 18/12/1999 SUBMITTED BY THE PETITIONER TO THE R.1.

EXT.P.4: COPY OF THE COMMUNICATION DTD. 08/02/2000 ISSUED BY THE R.2. TO THE PETITIONER.

EXT.P.5: COPY OF THE LETTER DTD. 15/02/2000 ISSUED BY THE PETITIONER TO THE R.2.

EXT.P.6: COPY OF THE COMPARATIVE TABLE SHOWING THE CAPITAL INVESTMENT AS WELL AS THE EXISTING CONSENT FEE AND PROPOSED ENHANCEMENT OF SOME MEMBERS OF THE PETITIONER ASSOCIATION.

RESPONDENT'S EXHIBITS:

EXT.R1.A: COPY OF THE COMPARITIVE CHART OF CONSENT FEE PAYABLE TRIENNIALLY UNDER THE AIR ACT IN ADHRA PRADESH , TAMIL NADU AND KERALA.

EXT.R2.A: COPY OF THE COMPARATIVE CHART OF CONSENT FEE PAYABLE TRIENNIALLY UNDER THE AIR ACT IN ANDHARA PRADESH, TAMIL NADU AND KERALA.

EXT.R2.B: COPY OF THE NOTIFICATION DTD. 20/12/1999 PUBLISHING THE DRAFT UNIFORM CONSENT PROCEDURE RULES, 1999.

O.P. NO. 23781/2000-F:

EXT.R2.C: COPY OF THE CHARGE DETAILING THE TARIFF OF CONSENT FEE LEVIED IN ANDRA PRADESH AND TAMIL NADU COMPARED WITH THE TARIFF IN KERALA.

EXT.R2.D: COPY OF THE REPLY GIVEN BY THE GOVERNMENT TO THE ASSOCIATION.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

O.P. NO. 23781 OF 2000

Dated this the 23rd day of November, 2007.

J U D G M E N T

Petitioner approached this Court aggrieved by the enhancement of fee for granting consent to the industrial units by the Pollution Control Board. The interim order passed by this Court was vacated by order dated 24.11.2004. Since the decision is ultimately taken by the Government, in case the petitioner has still any grievance left, petitioner may approach the Government.

This original petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp

KURIAN JOSEPH, J.

O.P. NO. 23781 OF 2000

J U D G M E N T

23.11.2007